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I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER OF PATENTS, WASHINGTON, DC 20231, ON THE DATE INDICATED BELOW.

BY: Fully Kawachi

DATE: March 10, 2003

BOX PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In: Patent Application of : Group Art Unit: 1652
Emil C. Gotschlich :
Appln. No.: 10/007,267 : Examiner: Manjunath Rao
Filed: December 3, 2001 :
For: GLYCOSYLTRANSFERASES FOR : Attorney Docket
BIOSYNTHESIS OF OLIGOSACCHARIDES : No. 040853-01-5029-02
AND GENES ENCODING THEM :
#9

TERMINAL DISCLAIMER AND STATEMENT OF COMMON OWNERSHIP

In accordance with 37 C.F.R. § 1.321(c), Petitioner, The Trustees of The Rockefeller University, residing at New York, New York, represents that it is assignee of the whole and entire right, title and interest in and to the above-identified application. The above-identified application, 10/007,267, is a continuation of 09/333,412, filed June 15, 1999 now U.S. Patent 6,342,382, which is a continuation of 08/878,360, filed June 18, 1997 now U.S. Patent 5,945,322, which is a continuation of 08/683,426, filed July 18, 1996 now U.S. Patent 5,705,367, which is a divisional of 08/312,387 filed September 26, 1994 now U.S. Patent 5,545,553. U.S. Patent Appl. No. 08/683,458, filed July 18, 1996 now U.S. Patent 5,798,233 is also a divisional of U.S. Patent 5,545,553. The above-identified application is related to prior U.S. Patent No. 5,545,553 (the "prior patent"). The prior patent was assigned to Petitioner by an Assignment recorded January 5, 1995, at Reel 7292, Frame 0344. Based on a review of evidentiary documents relating to the chain of title from the original owner to Petitioner, the undersigned hereby certifies that to the best of her knowledge and belief, both the present application and the prior patent are commonly owned by Petitioner.

Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the present application which would extend beyond the

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expiration date of the full statutory term, defined in 35 U.S.C. § 154 to § 156, of the prior patent. Petitioner hereby agrees that any patent so granted on the present application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the present application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any patent granted on the present application that would extend to the expiration date of the full statutory term, defined in 35 U.S.C. § 154 to § 156, of the prior patent, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable or is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or is terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a re-examination certificate, or is in any manner terminated prior to the expiration of its full statutory term.


The undersigned official of Petitioner is empowered to act on behalf of Petitioner.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.


Respectfully submitted,

EMIL C. GOTSCHLICH

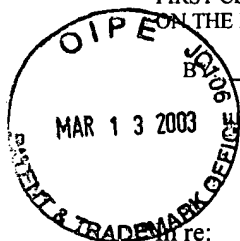
By:


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MARCH 10, 2003
(Date)

KD/QDN 
Enclosures

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Emily Karpinski

DATE: *March 10, 2003*

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AND GENES ENCODING THEM :
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TERMINAL DISCLAIMER TRANSMITTAL LETTER

Submitted herewith is a Terminal Disclaimer and Statement of Common Ownership with respect to the above-identified patent application.

- ☒ The Commissioner is hereby authorized to charge Deposit Account No. 50-0310 (Billing No. 040853-01-5029-02) as noted below. A duplicate copy is enclosed.
- ☒ Statutory disclaimer fee in the amount of \$ 55.00.
- ☒ Any deficiencies or overpayments in the above-calculated fee.

Respectfully submitted,

Emil C. Gotschlich

By:

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